

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Michael Schlegel,

Civil No. 16-867 (DWF/BRT)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Corey Schoeneck, Brandon Saloka, and
Chelsea Doherty, *Sherburne County*
Deputies, individually and in their official
capacities as Agents of Sherburne County,
Minnesota, and Sherburne County Minnesota,

Defendants.

This matter is before the Court upon Plaintiff Michael Schlegel's *pro se* objections (Doc. No. 39) to Magistrate Judge Becky R. Thorson's November 29, 2016 Report and Recommendation (Doc. No. 38) insofar as it recommends that: (1) Plaintiff's claim for federal due-process violations be dismissed with prejudice; and (2) the remaining state-law claims be dismissed without prejudice. Defendants filed a response to Plaintiff's objections on December 20, 2016. (Doc. No. 41.)

Plaintiff objects to the Report and Recommendation only insofar as it recommends the dismissal of his state-law claims without prejudice, and Plaintiff argues that those claims should be remanded to state court. The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the

above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections.

The Court agrees with the Magistrate Judge and concludes that Plaintiff's objections offer no basis for a departure from the Magistrate Judge's recommendations. Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Michael Schlegel's *pro se* objections (Doc. No. [39]) to Magistrate Judge Becky R. Thorson's November 29, 2016 Report and Recommendation are

OVERRULED.

2. Magistrate Judge Becky R. Thorson's November 29, 2016 Report and Recommendation (Doc. No. [38]) is **ADOPTED**.

3. Plaintiff Michael Schlegel's Claim for federal due-process violations is
DISMISSED WITH PREJUDICE.

4. The remaining state-law claims are **DISMISSED WITHOUT PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 13, 2017

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge